

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Earth Harvest Mills, Inc. dba
Dakota Prairie Organic Flour Company
License No. 1155 – Harvey, ND
Suspension**

Case No. GE-11-379

**ORDER SUSPENDING WAREHOUSE LICENSE
AND NOTICE OF OPPORTUNITY TO BE HEARD**

December 7, 2011

Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company, Harvey, North Dakota, operates a licensed public grain warehouse at Harvey, North Dakota, under license no. 1155 issued by the Public Service Commission under the provisions of N.D.C.C. Chapter 60-02.

On May 19, 2011, the Commission received notice that the grain warehouse bond policy issued to Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company would be cancelled effective December 31, 2011. N.D.C.C. § 60-02-09.1 provides that the Commission shall immediately suspend an elevator's license if the licensee fails to file proof of new or renewed bond filing at least thirty days before cancellation of the current bond. As of November 30, 2011, no replacement bond was filed with the Commission.

Order

The Commission orders that warehouse license number 1155 issued to Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company is suspended effective December 1, 2011. The licensee shall:

1. Within five days of receipt of notice, notify each receipt holder with written notice that its warehouse license is suspended and that grain must be removed from the warehouse or it will be priced and redeemed in cash in accordance with N.D.C.C. § 60-02-41.
2. Keep the Commission's suspension notice conspicuously posted in the office window or on the front driveway door of the facility.
3. Surrender warehouse license no. 1155 to the Commission.

4. Not receive additional grain for purchase, storage, shipping or processing.
5. Not sell or ship any grain without submitting a written request to the Commission and receiving Commission authorization to do so.

Notice

PLEASE TAKE NOTICE that Earth Harvest Mills, Inc. dba Dakota Prairie Organic Flour Company has until December 30, 2011, to procure and file proof of new or renewed bond filing or submit a written request for hearing.

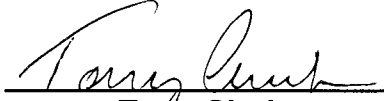
N.D.C.C. § 60-02-10.1 provides:

The Commission may suspend or revoke the license of any warehouseman for cause upon notice and hearing. Notwithstanding any other provision of this chapter, the license of a warehouseman must automatically be suspended for failure at any time or to maintain either a bond or insurance policy in the amount or type required. . . .

PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner